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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,082	08/28/2003	Udo Klein	15609-017001 / 2003P00621	7222
32864 7590 03/28/2007 FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER ROBINSON, GRETA LEE	
			ART UNIT 2168	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/650,082	Applicant(s) KLEIN ET AL.	
	Examiner Greta L. Robinson	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 9-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I (claims 1-8) in the reply filed on December 20, 2006 is acknowledged.

2. Claims 1-20 are pending in the present invention. Claims 9-20 are withdrawn. Independent claim 1 was amended in the response filed September 14, 2006.

Information Disclosure Statement

3. The information disclosure statement filed August 11, 2004 and April 25, 2006 have been considered by the examiner. Applicant's declaration in support of the IDS filed August 11, 2004 is acknowledged. Copies of Form PTO 1449 were attached to the last correspondence mailed November 27, 2006.

Drawings

4. The drawings were received on September 14, 2006. These drawings are acceptable.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of independent claim 1 is directed to an abstract idea and does not include a useful concrete tangible result. Claim 1 recites "associating the second data record with the grouping value, such that a modification of the first data record will result in a synchronization modification of the second data record" [see claim 1 lines 8-9]; however the claim language does not specifically recite an *operational procedure for modification* to realize a result of synchronization. Claims 2-8 are rejected based on dependency.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mukundan et al. US Patent Application Publication No. 2005/0177587 A1 in view of Gusack US Patent 6,112,209.

Regarding claim 1, **Mukundan et al.** teaches a computer-implemented method comprising: selecting a first data record stored at a first level of a data model, the first data record being connected to other first-level data by way of central data stored at a second level of the data model [note: page 5 paragraph 0090 *data model* which serves as the basis for various applications ; page 25 paragraph 0762 At block 3630, in response to the user's selection of the respective command item, the command associated with the respective item is routed to an appropriate destination for processing; Figure 36 note steps 3620 through 3640; also note abstract "a method is provided in which a **first field** and a **second field** of a data record are displayed to a user using a client program, the second field having one or more attributes that are dependent upon the value of the first field. In response to a detection that the first field has changed, the value of the first field is sent to a server program. The server program is configured to process the changed value of the first field and determine corresponding changes with respect to the one or more attributes of the second field"];

associating the first data record with a grouping value that is generated based on a pre-determined grouping reason [note: page 25 paragraph 0762; Figure 36 steps 3620 through 3640; command objects may be defined page 25 paragraph 0763];

selecting a second data record stored at the first level [note: paragraph 0762 and 0189; Figure 37 step 3760; Figures 20, 21, 38 and 39]; and

associating the second data record with the grouping value, such that a modification of the first data record will result in a synchronizing modification of the second data record [note: "a method is provided in which a first field and a second field of a data record are displayed to a user using a client program, the second field having one or more attributes that are dependent upon the value of the first field. In response to a detection that the first field has changed, the value of the first field is sent to a server program. The server program is configured to process the changed value of the first field and determine corresponding changes with respect to the one or more attributes of the second field" abstract; Figures 37-39 and 41; *logical grouping or mapping may be defined* see paragraph 0765]. Although Mukundan et al. teaches the invention substantially, they do not explicitly teach a grouping value. Mukundan et al. teaches logical grouping or mappings may be defined to associate identified fields for changes [paragraph 0091]. **Gusack** teaches a linking value (i.e. grouping value) [see: abstract "The linking values stored in the central linking table indexes may be predefined to automatically structure and link a plurality of unspecified data changes in the data may alter the linking structure to provide further capabilities"; column 1 lines 1-10; column 3 lines 54-58; column 23 lines 33-55 linking value]. It would have been obvious to one of ordinary skill at the time of the invention to have combined Gusack with Mukundan et al. because a linking value or grouping value would enable contents of the first field to be dynamically linked and synchronized with the contents of the second field when modified.

9. Regarding claims 2-4:

(claim 2) “wherein the group value is time-dependent” [see: Mukundan et al. page 20 paragraph 0677 a design-time menu activation/suppression feature is provided for applet-level menu ; also note Gusack col. 10 lines 41-59 changes are automatic; Figure 21];

(claim 3) “determining that the group value has changed from a first grouping value to a second grouping value with respect to the first data record; and

re-assessing synchronization of the first data record and second data record based on the second grouping value” [note: Gusack col. 9 lines 21-36];

(claim 4) “wherein re-assessing synchronization of the first data record and second data record based on the second grouping value comprises:

determining that the second data record continues to be associated with the first grouping value;

splitting the first data record into a first portion and a second portion that are associated with the first grouping value and the second grouping value, respectively; and

modifying content of the second portion to reflect association with the second grouping value” [note: Gusack col. 10 lines 41-59 changes are automatic; Figure 21 note software procedure].

10. Regarding claim 5, wherein associating the first data record with the grouping value comprises:

examining contents of pre-designed record of a set of data records of which the first data record is a part; and

generating the grouping value based on the contents [note: Mukundan et al paragraph 0091 logical groupings of various types may be implemented, paragraph 0097 and 0109-0111; and column 3 lines 54-58; column 23 lines 33-55].

11. Regarding claim 6, wherein the first data record and the second data record are time-dependent and time-constrained [note: Mukundan et al. page 20 paragraph 0677 a design-time menu activation/suppression feature is provided for applet-level menu; Figure 19].

12. Regarding claims 7 and 8:

(claim 7) "wherein the central data includes data related to a single person [note: Mukundan et al. paragraph 0071];

(claim 8) "wherein the first data record relates to a first work assignment of the person, and the second record relates to a second work assignment of the person" [note: Mukundan et al. paragraphs 0068-0070 and 0063; paragraph 0099 through 0103 assignment of tasks through assignment Manager].

Response to Arguments

13. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

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In the response Applicant argued the following: (1) The amendment adding the limitation "computer implemented" overcomes the rejection cited under 35 USC 101; (2) Kanerva et al. does not teach a grouping value. In response to Applicant's arguments new grounds of rejection have been cited, note rejection supra.


Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (571)272-4118. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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GRETA ROBINSON
PRIMARY EXAMINER

Greta Robinson

Primary Examiner

March 16, 2007